

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re Flint Water Cases.

Judith E. Levy
United States District Judge

_____/

This Order Relates To:

ALL CASES

_____/

**ORDER DIRECTING THE MICHIGAN DEPARTMENT OF
HEALTH AND HUMAN SERVICES TO PROVIDE SOCIAL
SECURITY NUMBERS AND INFORMATION ON TERMINATION
OF PARENTAL RIGHTS AS SPECIFIED HEREIN TO AID IN
THE IMPLEMENTATION OF THE AMENDED SETTLEMENT
AGREEMENT [3248]**

On November 10, 2021, the Court issued its Opinion and Order Granting Final Approval of a Partial Settlement, Granting Certification of a Settlement Class, Granting Appointment of Settlement Class Counsel, Denying Objections, and Adopting the Report and Recommendation.¹ (ECF No. 2008.)

¹ All capitalized terms herein have the same meaning set forth in the Amended Settlement Agreement, (ECF No. 1394-2), which the Court has approved.

The Court also issued a January 26, 2021 Order Taking Judicial Notice of the Appointment of Next Friends and Ordering Parallel Relief with the Genesee County Circuit Court, (ECF No. 1405), appointing certain individuals to act as Next Friends for any related Minor or Legally Incapacitated Individuals for purposes of pursuing a claim and recovery under the Amended Settlement Agreement.

The March 5, 2021 Stipulated Joint Order to Compel Production of Information Regarding Foster Children and Other Wards of the State and to Authorize the Identification of Next Friends for Appointment for Such Individuals, (ECF No. 1457), recognized the role that Special Master Deborah Greenspan and Master Guardian Ad Litem Miriam Wolock have with respect to assisting Foster Children in registering for and submitting claims for recovery under the Amended Settlement Agreement and ordered the Michigan Department of Health and Human Services (MDHHS) to provide information to them regarding such children that may have been exposed to contaminated water provided by the Flint Water Treatment Plant during the period of April 25, 2014 to November 16, 2020. MDHHS has complied with the court's March 5, 2021 order.

Under the terms of the Amended Settlement Agreement, claimants are required to provide their social security numbers. (ECF No. 1394-3; ECF No. 1394-5.) Roughly 1,200 claimants, who may otherwise be qualified to receive Monetary Awards under the Settlement Agreement, have not, either by the claimants, their parents or guardians, or through their attorneys, provided their social security numbers. Approximately 900 of those claimants are Minors, some of whom might be either Foster Children, Adoptive Children, or Wards of the State and therefore the MDHHS might have Social Security Numbers for them. Without knowing whether the MDHHS has Social Security Numbers for the claimants who are Minors, the MDHHS has agreed to search for the Social Security Numbers for the list of claimants the Special Master will send to the MDHHS.

Additionally, parents acting as Next Friends may submit Registration Forms and Claims Materials on behalf of Minors. (*See* ECF No. 1394-2, PageID.54187–54188 (Paragraph 21.11 of the Amended Settlement Agreement); ECF No. 1405, PageID.54489 (Paragraph 4 of the Next Friend Order).) Next Friends may be able to access some, or all of the Monetary Awards paid to or put into trust for Minors. The Special

Master is aware of situations in which parents, purportedly acting as Next Friends on behalf of Minors, have previously had their parental rights terminated. Such individuals may not be actually acting on behalf of the Minor or otherwise may not be an appropriate Next Friend. For Foster Children and Wards of the State, MDHHS may be able provide information regarding individuals who have had their parental rights terminated.

For good cause shown and in furtherance of the implementation of the terms of the Amended Settlement Agreement, the Next Friend Order, and the Foster Children Order, the Court hereby finds and orders as follows:

1. The Special Master shall provide a list to MDHHS of the roughly 1,200 claimants who have not provided their Social Security Numbers to the Special Master. The provided list will include all known first and last names and date of birth for each claimant to increase the likelihood of identification. As soon as practicable, MDHHS shall conduct a search of its appropriate databases, including without limitation, Eligibility Data in Datawarehouse, and identify any available Social Security Numbers for the

- identified claimants. MDHHS will promptly provide the name and Social Security Number for each claimant located in its database to the Special Master. The Special Master will establish a secure site to enable MDHHS to provide the information electronically.
2. For each Foster Child or Ward of the State identified and disclosed by MDHHS to the Special Master and Master Guardian Ad Litem pursuant to ECF No. 1457, MDHHS shall identify the name and date any biological or adoptive parent of such children had parental rights terminated, the last known status of those children, and the name and address of the last known foster parent, any non-terminated biological parent, or adoptive parent of such children. MDHHS shall transmit the information electronically to the secure site to be established by the Special Master that meets all State of Michigan and applicable regulatory requirements.
 3. MDHHS shall undertake reasonable efforts to locate the information set forth above. MDHHS shall have no obligation to generate or develop information that does not already exist in its

systems or to provide information beyond that requested by the Special Master. MDHHS has no obligation to certify any match of the names and Social Security Numbers since that data is not always verified in MDHHS databases.

4. Next Friends identified by the Special Master or Master Guardian Ad Litem shall also be entitled to receive Social Security Numbers to be provided by MDHHS pursuant to this Order regarding the specific children for whom they are acting as Next Friend. Next Friends may only use that information to the extent necessary to register for and submit Claims Materials to obtain Monetary Awards under the Settlement Agreement or to establish and obtain judicial approval of a Special Needs Trust, a Settlement Preservation Trust, or a Structured Settlement.
5. All information and documents produced by MDHHS shall be deemed “Confidential” as set forth in the December 19, 2017 Confidentiality Order, (ECF No. 299), and be subject to the restrictions set forth in that Order. Only the Special Master and Master Guardian Ad Litem may have access to the information

and documents. The persons designated in this Order may provide access to the information and documents to technical personnel and other attorneys engaged by the persons designated in this Order for the purposes of carrying out the terms of this Order.

IT IS SO ORDERED.

Dated: June 10, 2025
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or first-class U.S. mail addresses disclosed on the Notice of Electronic Filing on June 10, 2025.

s/William Barkholz
WILLIAM BARKHOLZ
Case Manager